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B I L L

TO

Amend the Law relating to Coroners and Inquests in the County of the City of Dublin. A.D. 1876.

**W**HEREAS it is expedient to authorise coroners in the county of the city of Dublin to appoint deputies to act in their stead in certain cases, and to make provision with respect to the duties and powers of such coroners and deputies, and to amend the law with respect to the number and payment of coroners, and the expenses of inquests, and to provide compensation for coroners obliged to give up their office :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. *From and after the passing of this Act* the several parts of the Acts in the Schedule A. to this Act hereto annexed, in so far as they may be inconsistent with or repugnant to the provisions of this Act, but no further, shall be, and the same are hereby repealed. Repeal.

2. In case of the illness or unavoidable absence of any coroner for the time being of the county of the city of Dublin, he is empowered and hereby required, by writing under his hand and seal, to appoint a fit and proper person, qualified as by this Act required for election as coroner, to act for him as deputy coroner during the illness or unavoidable absence of such coroner, but no longer or otherwise : Provided always, that the Lord Mayor of Dublin, or two justices of the county of the city of Dublin, shall, on each occasion, certify under their hands and seals the necessity of the appointment of such deputy coroner, and such certificate shall state the cause of the absence of such coroner, and shall be openly read to every inquest jury summoned by such deputy coroner ; and the particulars of every inquest holden by such deputy coroner shall

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Qualification  
of coroner.

3. *From and after the passing of this Act* no person shall be elected or chosen to the office of coroner of the county of the city of Dublin unless at the time of being so elected or chosen he in addition to possessing such statutable qualification as is at present required is further qualified as follows; that is to say,

(a.) Is duly qualified to practice medicine or surgery, and registered as so qualified under the Medical Act of 1858, or any Act amending the same; or

(b.) Is a barrister-at-law; or

(c.) Is on the roll of solicitors or attorneys in one of the superior courts at Dublin; or

(d.) Is a justice of the peace of five years standing.

Remunera-  
tion of  
coroner.

4. It shall and may be lawful to and for the grand jury to present for the payment of any coroner within the said county of the city of Dublin the sum of *one pound ten shillings sterling* for each and every inquest held by him respectively since the last assizes or presenting term, or since his last application for a presentment; and such grand jury shall present in addition thereto, and over and above such payment, such further and other sum at the rate of *sixpence per mile* for every mile which such coroner shall have been obliged to travel from his usual place of residence for the purpose of taking such inquest, or of holding any inquiry in virtue of his office on the requisition in writing of the police, prison, or lunatic asylum authorities: Provided always, that whenever any coroner shall have held more than one inquest or inquiry on the same day, then in respect of such inquest or inquiry taken or held after the first the said sum of *sixpence per mile* shall be computed and paid to such coroner for every additional mile which he shall have been compelled to travel in consequence of holding more than one inquest or inquiry on the same day.

Payment of  
witnesses.

5. *From and after the passing of this Act* it shall be lawful for any coroner or deputy coroner by whom an inquest is held in the county of the city of Dublin to pay to any poor witness for each day of attendance at such inquest any sum, not exceeding *two shillings per day*, as shall seem just and reasonable.

Superannua-  
tion of  
coroner.

6. *From and after the passing of this Act* no person shall continue to hold the office of coroner for the county of the city of Dublin after he has attained the age of seventy years, or after he has become incapable, from ill-health or infirmity, to discharge the

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duties of his office, and every coroner for the county of the city of Dublin who has been declared by certificate from the Court of Queen's Bench in Ireland as in this clause hereinafter mentioned to have attained the age of sixty years and served in that office for  
 5 twenty-one years, shall be entitled, at his option, to retire from the office of coroner; and it shall be lawful for every such coroner who may so desire to retire at the age of sixty years after twenty-one years service, and for every coroner having attained the age of seventy years, or having become incapable from ill-health or  
 10 infirmity to discharge the duties of his office, to apply by counsel to the Court of Queen's Bench in Ireland for a certificate or declaration that the applicant has attained the age of seventy years, or is incapacitated, by ill-health or infirmity, from discharging the duties of his office, or that he having attained the age of sixty years  
 15 has served in the office of coroner for twenty-one years (as the case may be), and upon hearing such evidence as may be given in support of such application, the court or judge before whom same is heard shall give such certificate, should the evidence given be sufficient to justify said court or judge in so doing, and upon the  
 20 production of any such certificate the coroner therein named shall be thenceforth entitled to receive an annuity or yearly sum, being *two thirds* of the fees or emoluments which he was entitled as coroner to receive, on the annual average calculated upon the three years next preceding such application, said annuity to be paid half-  
 25 yearly, at May and November, in each year during such coroner's natural life, and every such annuity shall be payable out of and chargeable upon the funds raised by fines and penalties in Ireland, and such annuities shall be paid, as herein provided, by the registrar or person in charge of the collection of all moneys and accounts  
 30 connected with said fines and penalties, the receipt of each coroner entitled, as herein provided, to receive the same shall be a sufficient voucher for the payment of said annuity: Provided always, that upon the death of any coroner in receipt of such annuity his legal representative shall be entitled to such part of the current half  
 35 year's annuity as had accrued from day to day up to the date of said coroner's death.

7. When any person or persons shall be taken on charge of suspicion of being feloniously implicated in the death of the person on whose body an inquest is about to be or is being held, the  
 40 coroner or deputy coroner holding such inquest is hereby empowered upon a proper information of the fact being taken in writing by such coroner or deputy coroner, to commit to prison the person or

Commitment  
of persons  
suspected  
of causing  
death.

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Depositions. 8. At any time after all the depositions of witnesses at any inquest shall have been taken, every person against whom any coroner's jury may have found a verdict of murder or manslaughter shall be entitled to have, from the coroner or from the person 15 having custody of the same, copies of the depositions on which such verdict shall have been found, on payment of a reasonable sum, not exceeding the rate of *twopence* for every folio of ninety words.

Amalgama-  
tion of  
offices.

9. And whereas in the county of the city of Dublin there are at 20 present two coroners of and for the said district, each one of whom discharges the whole of the duties in alternate months for the whole of said district, and it is expedient to permit and provide for the amalgamation of the two offices: Be it enacted that on the death, retirement, or disability by reason of age, ill-health, or infirmity of 25 either one of the said two coroners, such disability having been certified by the Court of Queen's Bench in Ireland, as in clause six of this Act already provided, the remaining coroner shall thereby and thereupon attain to and hold the office of sole coroner for the county of the city of Dublin: Provided always, that if either one of 30 the two coroners at present holding office in the county of the city of Dublin so retire, or be as aforesaid certified to have become incapacitated from the discharge of his duties, he shall receive annually, as herein-before enacted, a retiring allowance of *two thirds* of such average of annual emoluments as he would be entitled 35 to receive as superannuation under clause six of this Act.

Maintenance  
of coroner's  
court and  
mortuary.

10. And whereas the grand jury of the county of the city of Dublin have recently provided a suitable edifice for the sole purpose of a coroner's court, and a morgue or mortuary for the reception of 40 bodies of deceased persons awaiting inquest; and it is expedient to provide for the maintenance and to regulate the expenses of such coroner's court and morgue or mortuary: Be it therefore enacted,

that it shall and may be lawful for the said grand jury to present and pay such sum or sums as they may from time to time judge to be necessary for the maintenance, repair, or improvement of the edifice of said court, or of the coroner's court and morgue for the time being for the county of the city of Dublin, as well of providing it with proper and necessary appliances, and for the payment of a clerk to the coroners, and of a care-taker of the said court and morgue: Provided always, that every such presentment or payment may be traversed, as grand jury presentments may at present be traversed, before the Court of Queen's Bench, Ireland.

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11. In this Act grand jury shall mean the municipal council of the city of Dublin, in the exercise of grand jury powers already by statute conferred upon it.

Interpretation.

12. The provisions of this Act are not to be construed in derogation of but in addition to the powers, functions, rights, and privileges at present possessed by statute or at common law by coroners in the county of the city of Dublin.

This Act not in derogation of coroners' powers.

13. This Act shall extend to the county of the city of Dublin only.

Extent of Act.

14. This Act may be cited as the Coroners (Dublin) Act, 1876.

Short title.

## SCHEDULE.

9 & 10 Vict. cap. 37., clause 27, together with the first item in Schedule C. of said Act.

23 & 24 Vict. cap. 74., clause 1.

# Coroners (Dublin).

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## B I L L

To amend the Law relating to Coroners  
and Inquests in the County of the  
City of Dublin.

*(Prepared and brought in by  
Mr. Sullivan, Sir John Guinness, Mr. Murray  
Brooks, and Mr. Patrick Sheridan.)*

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*Ordered, by The House of Commons, to be Printed,  
18 March 1876.*

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[Bill 104.]

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